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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/588,965	08/10/2006	Mitsunori Tanaka	1248-0892PUS1	3961

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BIRCH STEWART KOLASCH & BIRCH  
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EXAMINER
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LEBASSI, AMANUEL

ART UNIT	PAPER NUMBER
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2617

NOTIFICATION DATE	DELIVERY MODE
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04/14/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/588,965	<b>Applicant(s)</b> TANAKA, MITSUNORI	
	<b>Examiner</b> AMANUEL LEBASSI	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: "Preventing interference from adjacent identical products in an inspection process".

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koichi et al. JP 2001-177462 in view of Ohgami et al. US 20030120742 .

Regarding claim 1, Koichi discloses a transmitting device which successively receives signal(paragraph [0005], **receiving a broadcast seizing signal from a key station manual operating device**) and which successively transmits the received signal (paragraph [0005] and [0010], **performing a transmission control of key station radio communication equipment**).

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Koichi discloses transmitting means for performing signal transmission via wireless communications (paragraph [0005], **radio communication hence wireless**). Koichi discloses control means for (i) prohibiting, when a first instruction is received, the data transmission of the received signal performed by the transmitting means (paragraph [0005] and [0011], **a blockade of a relay station**), and (ii) permitting, when a second instruction is received, the signal transmission having been prohibited (paragraph [0005] and [0011], **directing opening and a blockade of a relay station to a relay station facility**).

However, Koichi is silent on receiving and transmitting data. Ohgami teaches receiving and transmitting data (paragraph [0023] **where a home server capable of collectively receiving and storing externally inputted broadcast signals, packed audiovisual media and audiovisual information can transmit and receive audiovisual data to/from each of stationary/portable display devices (e.g., a LCD monitor) by means of radio transmission**).

At the time of invention, it would have been obvious to modify the invention of Koichi with teaching of Ohgami. The motivation would be to selectively distribute received contents to a plurality of display units for displaying the received contents (paragraph [0001]).

Regarding claim 2, Koichi discloses wherein said control means receives the first and second instructions from a remote control (paragraph [0011]).

Regarding claim 3, Koichi discloses wherein said control means receives said first instruction only when a predetermined instruction is received (paragraph [0012]).

Regarding claim 4, Koichi discloses wherein said transmitting means further transmits a signal indicating that the data transmission of the received data is prohibited (paragraph [0012], **opening of a relay station, directions of a blockade, and the reply signal from a relay station can be processed to a relay station facility**).

Regarding claim 5, Koichi discloses a receiving device for receiving the data transmitted from the transmitting device (paragraph [0012]).

Regarding claim 6, Koichi discloses the transmitting means of said transmitting means further transmits a signal indicating that the data transmission of the received data is prohibited (paragraph [0005] and [0011], **a blockade of a relay station**). However Koichi fails to disclose where said receiving device includes display means for performing display based on the signal. Ohgami

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teaches where said receiving device includes display means for performing display based on the signal (paragraph [0023]).

At the time of invention, it would have been obvious to modify the invention of Koichi with teaching of Ohgami. The motivation would be so that signal conversion device to display the video signal (paragraph [0005]).

Regarding claim 7, Koichi discloses a wireless communications system having a pair of a transmitting device and a receiving device each having an antenna (paragraph [0025], **first and second relay stations which transmit and receive radio signals**). Koichi discloses operation means for enabling modification of various settings of said wireless communications system (paragraph [0025], **where relay settings are enabled**). Koichi discloses operation signal receiving means for receiving an operation signal which is an instruction from the operation means, wherein said operation means generates a switching operation signal for a purpose of switching a communications status of the antenna of at least one of said transmitting device and receiving device, between a communications-enabled status and a communications-disabled status (paragraph [0026], **where the control signal delivery generates the MSK control signal**). Koichi discloses transmitting or receiving device includes control means for controlling the control unit to be the communications-enabled status or communications-disabled status, when the switching operation signal is

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received via the operation signal receiving means (paragraph [0026] ,**control signal delivery**).

However Kochi is silent on means for controlling the control unit to be the communications-enabled status or communications-disabled status. Ohgami teaches means for controlling the antenna unit to be the communications-enabled status or communications-disabled status (paragraph [0124]).

At the time of invention, it would have been obvious to modify the invention of Koichi with teaching of Ohgami. The motivation would be so that the signal received by the antenna is demodulated by a radio control portion so that it is transferred to a recognition portion (abstract).

Regarding claim 8, Ohgami discloses communications status recognition means for allowing recognition of whether or not said communications status of the antenna is in the communications-enabled status or in the communications-disabled status (abstract).

Regarding claim 9, Ohgami discloses receiving device includes (i) display means for performing a displaying operation based on a video signal received from the transmitting device, or the operation signal received from the operation means (paragraph [0023]). and (ii) storage means for storing communications status information for use in indicating the communications status on the display means (paragraph [0023]) and

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when a predetermined operation signal is received via the operation signal receiving means, said communications status recognition means is realized by performing a control operation so that the display means displays the communications status information having read out from the storage means, the communications status information corresponding to the communications status of the antenna (paragraph [0024], performing control operation to display the status).

Regarding claim 10, combination of above discloses aid storage means stores therein, in addition to the communications status information, information for use in displaying an item or a symbol related to the antenna; and when the predetermined operation signal is received via the operation signal receiving means, the item or the symbol related to the antenna is displayed, along with the communications status information, by superimposing the item or the symbol on the video signal being received (see above).

Regarding claim 11, Ohgami discloses wherein said operation means is operable only in an inspection process (paragraph [0026]).

Regarding claim 12, Koichi discloses a program for causing a computer to function as the control means of said transmitting means (paragraph [0011]).

Regarding claim 13, combination of above discloses computer-readable storage medium storing therein said program (see above).

### ***Conclusion***

1. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Amanuel Lebassi, whose telephone number is (571) 270-5303. The Examiner can normally be reached on Monday-Thursday from 8:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Nick Corsaro can be reached at (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

*Amanuel Lebassi*

/A. L./

04082009

/NICK CORSARO/

Supervisory Patent Examiner, Art Unit 2617